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Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA AT FAIRBANKS**

ROBERT PROBERT; LORETTA E.  
PROBERT; GENE GRISSOM;  
SANDRA GRISSOM; JOHN GRIMES;  
DONNA GRIMES; KENNETH  
MCDANIELS; LEONA MCDANIELS;  
ERIC CLONINGER; DEBRA  
CLONINGER; TIMOTHY DECKER;  
and CARLA SMITH,

Plaintiffs,

vs.

FAMILY CENTERED SERVICES of  
ALASKA, INC.; JOHN W. REGITANO;  
KATHY CANNONE; SUSZAN DALE;  
LONNIE HOVDE; DEBORAH L.  
COXON, and ADDITIONAL DOES I to  
X, Managerial Employers, Jointly Liable,

Defendants.

**Case No. 4:07-CV-00030 RRB**

**ISSUE ON APPEAL**

**(COXON APPEAL)**

Did the District Court err in dismissing Defendant Coxon from the action during a period of time when the Court had Ordered a Stay in the case pending

Interlocutory Appeal and when the Court then Granted Summary Judgment without allowing Plaintiffs to conduct Discovery as well.

RESPECTFULLY SUBMITTED this 8th day of April, 2011, at Fairbanks, Alaska.

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**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been served electronically by ECF to the following attorney(s) and/or parties of the record:

**John Foster Wallace**

**Richard D. Monkman**

Dated: April 8, 2011

By: s/ Camille De Santiago  
Law Office of Kenneth L. Covell